

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THEODIS WILEY,

Plaintiff,

v.

BERRY PETROLEUM COMPANY, LLC, et
al.,

Defendants.

Case No. 1:24-cv-00553-CDB

ORDER ON STIPULATION STAYING
ACTION PENDING RULING ON
ANTICIPATED MOTION TO COMPEL
ARBITRATION IN SEPARATE ACTION

(Doc. 3)

On April 10, 2024, Plaintiff Theodis Wiley (“Plaintiff”) initiated this action with the filing of a complaint in Kern County Superior Court against Defendants Berry Petroleum Co., LLC, and CJ Berry Well Services Management, LLC (“Defendants”), alleging race discrimination, wrongful termination, and intentional infliction of emotional distress against Defendants in Kern County Superior Court. (Doc. 1-1). On May 10, 2024, Defendants removed the action to this Court. (Doc. 1).

Pending before the Court is the parties’ stipulated request for order staying all proceedings and vacate the initial scheduling conference pending resolution of Defendants’ motion to compel arbitration in *Matthew Bergeron v. Berry Petroleum Company, LLC, et al.*, Case No. 1:24-cv-00503-JLT-CDB (the “*Bergeron Action*”), which the parties propose be filed on or before July 12, 2024. (Doc. 3). The parties represent that good cause exists since a stay of

1 discovery until resolution of Defendants' anticipated motion to compel arbitration in the
2 *Bergeron* Action may obviate the need to file a motion to compel arbitration in this action, or
3 otherwise narrow certain issues pertaining to any motion to compel arbitration that may be filed
4 in this action.

5 Accordingly, in light of the parties' representations and good cause appearing, IT IS
6 HEREBY ORDERED:

- 7 1. This action is stayed pending the Court's ruling on Defendants' motion to compel
8 arbitration in the *Bergeron* Action.
- 9 2. If Defendants fail to timely file a motion to compel arbitration in the *Bergeron* action,
10 the parties shall a joint scheduling report in accordance with the order setting mandatory
11 scheduling conference and appear for the scheduling conference as currently scheduled.
12 *See* (Doc. 2).

13 IT IS SO ORDERED.

14 Dated: **June 24, 2024**

15 
16 UNITED STATES MAGISTRATE JUDGE